

## BEST AVAILABLE COPY

Attorney Docket No. P67083US0

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Via Facsimile

703-308-6459

Marcus HARTMANN et al.

Application No. 09/914,870

Attn.: Erin Pender

Legal Advisor

Filed September 4, 2001

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Legal Staff  
International Division

For:  $\beta$ -HEXOSAMINIDASE AND A DNA SEQUENCE CODING IT OBTAINED FROM  
CILIATES AND USE THEREOF

## PETITION UNDER 37 CFR 1.181

Commissioner For Patents  
Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

The instant petition, transmitted by facsimile, is submitted pursuant to a telephone conference on December 12, 2002, with PCT Legal Advisor Erin Pender. Applicants wish to thank Legal Advisor Pender for the courteous consideration rendered Applicants' undersigned representative during the aforesaid telephone conference.

No fee is necessary for this petition.

At the suggestion of Legal Advisor Pender, attached hereto is a true copy of the papers filed January 28, 2002, in response to the notification of missing requirements mailed October 26, 2001, and a copy of the corresponding receipt card date stamped "JAN 28 2002" by the PTO.

Acting on the response papers filed January 28, 2002, the PTO issued Notification of Defective Response (mailed May 14, 2002), which alleged that the inventorship declaration (filed January 28, 2002) failed to comply with 37 CFR 1.497(a) "in that it: Is not executed by inventor

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Vohle," and which required a new oath or declaration of inventorship be furnished to the PTO. On June 14, 2002, applicants filed Response to Notification of Defective Response, explaining how the PTO incorrectly found the response papers filed January 28, 2002, defective.

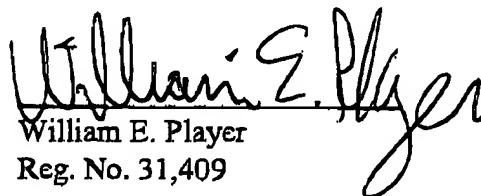
Accordingly, for the reasons set forth in the Response to Notification of Defective Response, the response filed January 28, 2002, was not defective as found by the PTO, and reversal of the finding is in order.

Favorable decision is requested.

Respectfully submitted,

JACOBSON-HOLMAN PLLC

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Attorney Docket No. P67083US0  
Date: December 12, 2002

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